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PIPER JAFFRAY COMPANIES and PIPER JAFFRAY & CO.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN CHAET, individually, and on
behalf of all others similarly situated,

Plaintiffs,

vs.

PIPER JAFFRAY COMPANIES; PIPER
JAFFRAY & CO. and DOES 1 through 10,
inclusive,

Defendants.

CASE NO. C-06-7075 PJH

Related to *McNerney v. Piper Jaffray & Co.*,
Case No. C-06-5155 PJH

**JOINT STIPULATION TO STAY CASE
MANAGEMENT CONFERENCE;
[PROPOSED] ORDER**

Date: March 1, 2007
Time: 2:30 p.m.
Courtroom: 3
Judge: Hon. Phyllis J. Hamilton

STIPULATION

The parties in *Chaet v. Piper Jaffray & Co.*, Case No. C-06-7075 PJH, (“*Chaet*”), by and through their counsel of record, stipulate as follows:

Pursuant to the Civil Local Rules for the U.S. District Court of the Northern District of California (“Local Rule”), Rules 6-1 and 6-2, the parties in the above-captioned matter (the “Parties”) stipulate and request a court order to stay the scheduled Case Management Conference (“CMC”), from March 1, 2007 to the next available date ordered by the Court after the Parties participate in a scheduled mediation, if the mediation does not result in a final resolution of the matter. At present the Parties have scheduled a mediation proceeding before David Rotman on May 8, 2007.

The Parties filed a Motion to Consider Whether Cases Should be Related (“Relatedness Motion”) on February 2, 2007. On February 12, 2007, the Honorable Phyllis J. Hamilton (“Judge Hamilton”) ruled that this matter was related to a previously filed case assigned to her, *McNerney v. Piper Jaffray & Co.*, Case No. C-06-5155 PJH (“*McNerney*”). Pursuant to that order this matter was reassigned to Judge Hamilton.

The Parties filed their Joint Case Management Statement (“CMS”) on February 22, 2007. In their CMS, the Parties indicated to the Court that they have scheduled a mediation proceeding before David Rotman on May 8, 2007. This mediation will address the claims raised in both the *McNerney* and *Chaet* matters. In the interest of maximizing the likelihood of a meaningful mediation process, the Parties are conferring as to how to best prepare for mediation through the exchange of relevant information and documents. The Parties believe their efforts would be best served by devoting all of their time and resources to fully preparing and pursuing the mediation, including negotiation, review and analysis of produced information and documentation.

1 The Parties believe the requested stay for the CMC will have a minimal effect on the
2 ultimate schedule for the case (the proposed stay is little more than 60 days) and note that the trial
3 date has not been set. The Parties do not want to waste the Court's time and resources, nor incur
4 unnecessary costs for the Parties, by vigorously litigating/prosecuting these actions when there
5 exists a potential for fruitful mediation.

6
7 Further, in their efforts to minimize the Court's time and resources, the Parties request the
8 Court rule on this Stipulation and Proposed Order on these papers and do not request a hearing.

9
10 Accordingly, the Parties, by and through their counsel, seek a court order and stipulate, as
11 follows:

12 The Case Management Conference currently scheduled for March 1, 2007, will be
13 stayed until after the Parties have participated in their scheduled mediation on May 8, 2007.

1 DATED: February 27, 2007

M. KIRBY C. WILCOX
MOLLY A. HARCOS
PAUL, HASTINGS, JANOFSKY & WALKER LLP

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3
4 By: _____/s/
5 MOLLY A. HARCOS

6 Attorneys for Defendants
7 PIPER JAFFRAY COMPANIES and
8 PIPER JAFFRAY & CO.

9 DATED: February 27, 2007

BRYAN KING SHELDON
NICOLAS ORIHUELA
LIM, RUGER & KIM, LLP

10
11 By: _____/s/
12 NICOLAS ORIHUELA

13 JOSEPH H. MELTZER
14 GERALD D. WELLS, III
15 ROBERT J. GRAY
16 SCHIFFRIN BARROWAY TOPAZ & KESSLER, LLP

17 Attorneys for Plaintiff
18 JONATHAN CHAET
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STIPULATION TO EXTEND TIME FOR
CMC
[PROPOSED] ORDER

ATTESTATION (GENERAL ORDER 45.X.B.)

I, Nicolas Orihuela, am the ECF user whose ID and password are being used to file this stipulation. I hereby attest that I have obtained concurrence for this filing from Molly Harcos, the other signatory to this stipulation.

STIPULATION TO EXTEND TIME FOR
CMC
[PROPOSED] ORDER

[PROPOSED] ORDER

This matter came before the Court for hearing on _____, 2007, at _____ before
~~the Honorable Phyllis J. Hamilton.~~ The Court, having considered all papers filed and otherwise
being fully informed, and good cause show:

IT IS ORDERED THAT the CMC, currently scheduled for March 1, 2007, will be stayed
until after the Parties have participated in their scheduled mediation on May 8, 2007.

A CASE MANAGEMENT CONFERENCE WILL BE HELD ON MAY 10, 2007 AT 2:30 P.M.

DATED: February 27 ____, 2007

